

In the Drawings:

The Figure is amended by submission of the attached Replacement sheet, to add a labeled representation (18) for the counter recited in the specification at Page 3, line 6, and to re-arrange existing reference designators 8 and 10 to accommodate the change.

REMARKS

This Amendment is responsive to the Office Action mailed July 18, 2006. It is accompanied by a "Letter for Rectifying an Error in Payment of Excess Claim Fees," together with a check for \$200, for rectifying the error described therein in the manner understood to be prescribed.

Objections to Drawings and Specification

The Figure is objected to because it does not show the "kitchen counter assembly" recited in claims 9, 32, and 37, and the specification is objected to because the term "kitchen counter assembly" is not used therein.

The Figure has been amended to show a labeled representation for a counter, permitted by 37 CFR 1.83(a) because a counter is a conventional feature, a detailed illustration of which is not necessary for a proper understanding of the invention.

The original specification referred to a "kitchen counter and sink assembly" (Page 3, lines 29 - 30), and explained that the farm sink is "counter-mounted" (Page 3, line 6). It is respectfully submitted that a person of ordinary skill would have no difficulty understanding a kitchen counter in combination with a farm sink to be a "kitchen counter assembly" as recited in original claim 9. However, the specification has been amended to use the same words and provide the combination a reference designator (18).

Section 112 Rejections: Claims 33 - 37

Claims 33 and 37 are rejected under 35 USC §112, first paragraph as not being enabled

by the specification. The Examiner states that, while the specification enables securing a panel in a recess by an attachment member, it does not enable the securing of the panel only in a recess.

Applicant respectfully traverses the rejections, insofar as their basis is understood, i.e., it appears that the Examiner is asserting that the specification needs to enable a panel being secured in a recess without a fastener. However, the claims do not recite that the panel is to be secured in the recess, nor do the claims recite that the panel is to be secured in the recess without a fastener. Rather, the claims recite a recess adapted to “receive” a panel. A recess can be adapted to receive a panel by being dimensioned so that the panel fits in the recess, as explained at Page 5, lines 13 - 16.

Section 112 Rejections: Claim 7

Claim 7 is rejected under 35 USC §112, second paragraph as being indefinite; it is asserted that the claim is unclear as to the relationship between the “bolt” on line 2 thereof, and the “fastener” on line 6 of claim 26. The claim has been amended to clarify the relationship.

Section 102 Rejections

Claims 4 - 7, 9, and 26 -37 are rejected under 35 USC §102(b) as being anticipated by Smith, U.S. Patent No. 2,515,099. The Examiner asserts that Smith discloses a sink comprising the elements claimed. Particularly, the Examiner asserts that the sink enclosure in Smith falls within the scope of the term “apron” as used in the claims.

Applicant used the specific term “apron” in the claim. This is a term of art that has a specific meaning. While a patent examiner is entitled to read claim terminology broadly, the

meaning given a claim term must still be that which would be understood by a person of ordinary skill, and must be reasonable.

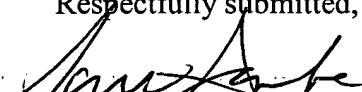
Smith identifies item 22 as being an apron. In contrast, Smith considers the items 10, 14, and 38, which the Examiner refers as being parts of the claimed apron, as being parts of a “sink enclosure,” which is explained to be installed underneath the sink. Therefore, the Examiner’s interpretation of the term “apron” is contrary to what Smith teaches.

In addition, please see the attached Declaration of William McKeone under 37 C.F.R. §1.132. Mr. McKeone has extensive knowledge in the art, and his Declaration is additional factual evidence that a person of ordinary skill would understand the term “apron” to read only on item 22 in Smith, and not on the “sink enclosure.”

Accordingly, Applicant respectfully traverses the rejections because the claims require an “apron” having either a hole or a recess. The only “apron” in Smith is apron 22, and it is clear by inspection of Figures 1 and 3 of Smith that the apron 22 does not have either a hole or a recess.

It should also not be overlooked that claims 4 - 6, 28 - 30, and 34 - 36 all positively recite the decorative panel, and there is no decorative panel disclosed in Smith.

Respectfully submitted,



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